REMARKS

Claims 1-28 are unchanged and pending. Reconsideration and allowance of the claims in light of the present remarks is respectfully requested.

The Examiner has identified the following groups of claims and is requiring the election of one group for further prosecution: Group I, "Claims 1-14, and 19-24, drawn to a method for improving optical recognition of text in an electronic bitmap comprising the *means* of receiving and processing bitmap; locating white pixels to identify gaps in character strokes; and processing black pixels by inserting bytes into white pixels for better optical recognition process"; and Group II, "Claims 15-18 and 25-28, drawn to a system to improve optical recognition of text in an electronic bitmap including computer environment, software program comprises receiving module, enhancement module to perform a contiguity analysis, and recognition module to recognize the text in the enhanced bitmap".

Applicant traverses the requirement for restriction, and requests reconsideration and withdrawal of the requirement. Applicant provisionally elects Claims 15-18 and 25-28 for prosecution as required by 37 C.F.R. § 1.143.

Applicant respectfully submits that the method Claims 1-14 and 19-24, and the apparatus Claims 15-18 and 25-28 have considerable overlap and should be examined together. All of the claims include the contextual language of "improving optical recognition of text in an electronic bitmap including non-white and white pixels", which describes the use or utility of the claims. The method claims describe the acts for improving optical recognition of text in an electronic bitmap in a computer or a computing environment, while the apparatus claims describe a physical embodiment for performing the acts to improve optical recognition of text in an electronic bitmap. For instance, by referring to the bodies of independent Claims 25 and 26, it can be seen that instructions executed by the medium or storage device are identical to the acts of independent Claim 19. Furthermore, except for the "computing means" being in the body of Claim 27 and the "computing environment" being in the preamble of Claim 19, the system of independent Claim 27 corresponds identically to independent Claim 19 as a means plus function

variant. Moreover, the system of independent Claim 15 generally embodies the acts of independent Claim 19 in modules.

Therefore, the examples provided in the Office Action do not show any patentable distinctions with reference to the claims language as required by MPEP § 806.05(d). Thus, Applicant has proven that there is no independent use of the alleged subcombinations and respectfully submits that the examiner has not shown that one of the subcombinations has utility other than in the disclosed combination.

Conclusion

In light of the above, reconsideration and withdrawal of the outstanding restriction requirement is specifically requested. In view of the foregoing remarks, Applicant respectfully submits that the claims of the above-identified application are in condition for allowance. However, if the Examiner finds any impediment to allowing all claims that can be resolved by telephone, the Examiner is respectfully requested to call the undersigned.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: _November 9, 2004_   By: _____
Raimond J. Salenieks
Registration No. 37,924
Agent of Record
Customer No. 20,995
(619) 235-8550

S:\DOCS\RJS\RJS-8131.DOC
110804

-3-